

22-7187
No. _____

ORIGINAL

Supreme Court, U.S.
FILED

MAR 24 2023

OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Jody Lynn Ward, #300644 — PETITIONER
(Your Name)

vs.

State of South Carolina — RESPONDENT(S)

ON PETITION FOR A WRIT OF CERTIORARI TO

Oral Argument Denied - *Improvidently Granted*
South Carolina Supreme Court / Certiorari Granted

(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Jody Lynn Ward, #300644

(Your Name)
Evans Corr. Inst. F-3-B-126
610 Hwy. 9 West

(Address)

Bennettsville, S.C. 29512

(City, State, Zip Code)

N/A

(Phone Number)

QUESTION(S) PRESENTED

1. Was petitioner Prejudiced when the South carolina Supreme denied his Writ of Certiorari on Oral arguments, and in a violation of the 6th and 14th Amendments to the United States Supreme Court that guarantees a defendant a fair trial by a panel of impartial and indifferent Jurors, when the U.S. Supreme Court as already Stated in Remmer vs. U.S. ; and Williams Vs. Taylor; in cases where a juror's impartiality is questioned after trial, it is appropriate to conduct a hearing in which the defendant has the opportunity to prove actual Juror Bias, therefore the Petitioner Constitutional Rights to a fair and impartial Juror's in a violation of Clearly established Federal law and 6th and 14th Amendments to the United states Constitution and a "REMMER - HEARING" should be granted and this Case remanded back to the South Carolina supreme Court and/or Trial Court for an Evidentiary Hearing that was Denied.

2. Was Petitioner entitled to a hearing on the Merits on an Evidentiary Hearing under the Cause and Prejudice, where the Judge was reprimanded for Judicial Misconduct and the South Carolina Supreme Court Erred when they stated that they couldn't come up with an opinion and relied on the S.C. Court of Appeals denial when the record is clear with multiple affidavits to warrant an evidentiary hearing pursuant to clearly established Federal law See; Remmer vs. U.S. 347 U.S. 227 (1954); Williams Vs. Taylor, 529 U.S. 420 (2000); and the 6th and 14th Amendment to the United states; supreme Court Precidents Warrant a Hearing.

QUESTION(S) PRESENTED

3.) Did the South Carolina Supreme Court of last resort error by Dismissing as Improvidently Granted of an important Federal question in a way that clearly conflicts with all decisions in Both; other Circuits And Clearly Established Federal Law in Remmer vs. U.S., *supra*; and Williams vs. Taylor, *supra* and its Progeny; and that erroneous Ruling Prejudice Petitioner and denied his Rights to a fair trial By and impartial jury pursuant to the 6th & 14th Amendment to the U.S. Constitution?

4.) Did the South Carolina Supreme Court that erroneous Dismissed as Improvidently granted of the important question of Federal Law that has not been, but should be, settled by this Court, of whether or not he should be granted an Evidentiary hearing in the Trial Court of Evidence of Juror BiAs of Juror #19 Marissa Cooper when she failed to respond in the Voir Dire to Both Familiar and Business Relationship of states witness.

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

All parties **do not** appear in the caption of the case on the cover page. A list of all parties to the proceeding in the court whose judgment is the subject of this petition is as follows:

RELATED CASES

See Also hereto Attached Appendix, Where the Same Juror had (7) Seven named Witnesses in the Voir Dire that she/Marissa Cooper Owner of Green Acre Trailor Park rented Lots to these Witnesses and failed to tell of this Buisness Relationship, and Judge Benjamin Culbertson who Ruled on the Conditional Order of Dismissal had already Said he was a CONFLICT OF INTEREST, in This very same Case, that ruling Error, but whats impoertant is that Attorney of Record Tristan Shaffer refused to Amend to show the business relationship. See: 2018-CP-22-00488

1. Newly Discovered Evidence of Juror Misconduct, in that
 - a. (7) Seven witnesses rented a lot from Juror #19, Marissa Cooper, Same Juror in this Case on Writ of Certiorari, so not only was the Petitioner denied an evidentiary hearing once but twice, a familiar relationship, and a Buisness relationship.

TABLE OF AUTHORITIES CITED

CASES

	PAGE NUMBER
<u>State v. Sparkman</u> 358 S.C. 491 (2004)	10, 11
<u>State v. Spann</u> , 334 S.C. 618 (1999)	8;
<u>Maher v. Tietex Corp</u> 331 S.C. 371 (1998)	9
<u>Canney v. Adams</u> , 706 F.3d 1148, 1169 (9th Cir. 2013)	9
<u>McCoy v. State</u> , 401 S.C. 363 (2013)	9
<u>Williams v. Taylor</u> , 529 U.S. 420 (2000)	10
<u>Remmer v. U.S.</u> 347 U.S. 227, 230 (1954)	10, 12
<u>State v. Woods</u> , 345 S.C. 583 (2001)	10, 11
<u>State v. Savage</u> , 306 S.C. 5 (1991)	10
<u>STATUTES AND RULES</u>	
<u>S.C.R.Crim.P.</u> Rule 29 (b)	8
<u>6th Amendment to U.S. Const.</u>	7;
<u>14th Amendment to U.S. Const.</u>	7;
<u>S.C.A.C.R.</u> Rule 407	7;
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<u>Judicial Misconduct</u>	12

OTHER Cases:

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APPENDIX F

IN THE
SUPREME COURT OF THE UNITED STATES
PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment below.

OPINIONS BELOW

For cases from **federal courts**:

The opinion of the United States court of appeals appears at Appendix _____ to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the United States district court appears at Appendix _____ to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

The opinion of the _____ court appears at Appendix _____ to the petition and is

reported at _____; or,
 has been designated for publication but is not yet reported; or,
 is unpublished.

JURISDICTION

For cases from **federal courts**:

The date on which the United States Court of Appeals decided my case was _____.

No petition for rehearing was timely filed in my case.

A timely petition for rehearing was denied by the United States Court of Appeals on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ___ A _____.
S

The jurisdiction of this Court is invoked under 28 U. S. C. § 1254(1).

For cases from **state courts**:

The date on which the highest state court decided my case was January 4, 23.
A copy of that decision appears at Appendix A.

A timely petition for rehearing was thereafter denied on the following date: _____, and a copy of the order denying rehearing appears at Appendix _____.

An extension of time to file the petition for a writ of certiorari was granted to and including _____ (date) on _____ (date) in Application No. ___ A _____.
I.

The jurisdiction of this Court is invoked under 28 U. S. C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Constitutional and statutory provisions involved are set forth in Appendix B & C

6th & 14th Amendments to the United States Constitution.

STATEMENT OF THE CASE

Petitioner was indicted by the Georgetown County Grand Jury for two counts of Murder arising from the shooting deaths of Wilford Brown and Elton Rutledge. On March 15, 2004, Petitioner was called to trial before the Honorable Paula Thomas and a jury. ROA 2. Petitioner was represented by Margaret Ann Kneece and J. Wesley Locklair. ROA 2. The State was represented by J. Gregory Hembree and Robert Bryan. ROA 2.

At the conclusion of the trial, Petitioner was found guilty of both counts of murder. ROA 150. Petitioner was sentenced life imprisonment. ROA 159.

Petitioner appealed his conviction. For the Appeal, Petitioner was represented by Robert M. Dudek. Appellate counsel filed an *Anders*¹ brief. ROA 160-170. Petitioner filed a *pro se Anders* response on September 13, 2005. ROA 234-298. On January 26, 2007, the Court of Appeals dismissed the direct appeal. ROA 425.

On April 14, 2007, Petitioner filed a *pro se* Petition for Writ of Certiorari with this Court. ROA 299-313. Petitioner then moved to withdraw the Petition for Writ of Certiorari. ROA 314. The Petition for Writ of Certiorari was dismissed on July 5, 2007. ROA 315. Remittitur was sent on July 6, 2007. ROA 317.

On July 11, 2007, Petitioner filed an Application for Post-Conviction Relief ROA 171-177. The State filed its return on October 5, 2007. ROA 183-185. An evidentiary hearing was convened on May 1, 2008 before the Honorable Steven John. ROA 186. At the hearing, Petitioner was represented by Bobby Frederick and the State was represented by Christina J. Catoe. Petitioner's Application for Post-Conviction Relief was dismissed on May 15, 2008. ROA 186.

¹ *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396 (1967).

Petitioner appealed the denial of the Application for Post-Conviction Relief. For this appeal, Petitioner was represented by Robert Pachak. ROA 318. The Petition for Writ of Certiorari was denied on August 20, 2009. ROA 330.

On July 13, 2009, Petitioner filed a subsequent *pro se* Application for Post-Conviction Relief. ROA 331. This application, for case number 2009-CP-22-1074, for PCR was dismissed on December 30, 2009 by the Honorable Benjamin Culbertson. ROA 341. Petitioner appealed the denial of this application for PCR; however, that appeal was dismissed on March 15, 2010. ROA 357. Remittitur was sent on March 31, 2010. ROA 358.

On May 4, 2010, Petitioner filed another *pro se* Application for Post-Conviction Relief. ROA 347. On July 10, 2010, this PCR application, 2010-CP-22-733, was dismissed. ROA 355. Petitioner appealed the denial of this application for PCR; however, certiorari was denied on August 18, 2011. ROA 357. Remittitur was sent on September 7, 2011. ROA 358.

On October 25, 2011, Petitioner filed a Petition for Writ of Habeas Corpus in this Court's original jurisdiction. ROA 359-384. This Petition was denied on November 16, 2011. ROA 385.

On December 1, 2011, Petitioner filed a Petition for Writ of Habeas Corpus in South Carolina District Court. ROA 202. This action was dismissed on March 20, 2013. ROA 386-424.

On May 16, 2012, Petitioner filed a *pro se* Motion for a New Trial Based on After Discovered Evidence. ROA 439-450. On July 31, 2012, this motion was denied by the Honorable Benjamin Culbertson. ROA 451-452.

Petitioner Filed a *pro se* Notice of Appeal. On September 22, 2014, Natasha Hanna filed a Notice of Appearance on the Appeal for the limited purpose of filing a Motion to Suspend the Appeal and For Leave to File a Motion for a New Trial Based on After Discovered Evidence. ROA 453-461. In an Order dated October 8, 2014, the Court of Appeals denied the Petitioners Motion to

Suspend Appeal and For Leave to File Motion for a New Trial Based on After Discovered Evidence noting the following:

We Note that pursuant to Rule 205, SCACR, "Nothing in these Rules shall prohibit the lower court...from proceeding with matters not affected by the appeal."

ROA 462-463. On November 12, 2014, the Court of Appeals affirmed the ruling on 2012 Motion for a New Trial Based on After Discovered Evidence. ROA 464.

On October 30, 2014, Petitioner, through his attorney Natasha Hanna, filed a Motion for a New Trial Based on After Discovered Evidence. ROA 467-470. On September 11, 2015, the Honorable Benjamin Culbertson filed a Form 4 Order denying Petitioner's Motion for a New Trial Based on After Discovered Evidence. ROA 471. On September 22, 2015, Ms. Hanna e-mailed Judge Culbertson, asking for a hearing. Supp. ROA 42-43.

A hearing was scheduled for December 10, 2015 before the Honorable Steven John. ROA 473. At the hearing, Ms. Hanna was relieved. The Court ordered that Petitioner be evaluated for competence to represent himself. ROA 490-497.

On September 8, 2017, Respondent filed a Motion to Dismiss [Petitioner's] Motion for a New Trial Based on After Discovered Evidence. ROA 542-544. Petitioner, through counsel, submitted a Memorandum in Support of Defendant's Motion for a New Trial Based on After Discovered Evidence. Supp. ROA 21-68.

A Hearing was convened on October 2, 2017 before the Honorable Larry B. Hyman. ROA 498. Prior to the hearing, Petitioner had requested to proceed *pro se*. however, at the hearing Petitioner indicated that he wanted an attorney and the Court did not order him to proceed *pro se*. ROA 507, l. 15—511, l. 20.

After the hearing, the Court allowed briefing on the State's motion. Supp. ROA 21-68.

Petitioner also renewed his motion to allow Mr. Ward to proceed *pro se*.

In an order clocked on December 7, 2017, the circuit court granted the State's Motion to Dismiss and denied the motion to proceed *pro se*. ROA 561.

On May 19, 2021, the Court of Appeals affirmed the circuit court. *State v. Ward*, (2-121-UP-184). A Petition for rehearing was filed on June 1, 2021. The Petition for Rehearing was denied on June 4, 2021. This Petition follows. The South Carolina Supreme Court then thereafter Granted Writ Of Certiorari, and thereafter Granted an Oral Argument that was Denied on A ~~January~~ 4, 2023. This Appeal Follows, Heard November 16, 2023 Writ of Certiorari was granted; Oral Argument Denied on January 4, 2023 ruled as Dismissed as Improvidently Granted, This Appeal now follows to the United States Supreme Court for there review for Writ of Certiorari.

REASONS FOR GRANTING THE PETITION

In a criminal case, the 6th & 14th Amendments to the United States Constitution guarantees a fair trial by an impartial and indifferent Jurors, Juror #19 Marissa Cooper failed to tell the Court at the Voir dire of Family & Business Relationships intentionally, and the S.C. Supreme Court Erred for failing to remand for Hearing.

FACTS - During the Petitioner's trial, the State alleged that Petitioner shot Wilford Brown and

Elton Rutledge in "a drug deal gone bad." ROA 98, l. 22—99, l. 7. The State argued that on August 2, 2002, Defendant borrowed his wife's Suzuki and meet up with Brown and Rutledge. The State alleged that Defendant then killed Brown and Rutledge with a 9mm handgun and buried their bodies. The State also alleged that Petitioner dumped the Suzuki in Dawhoo Lake in Georgetown County to destroy evidence of the shooting. ROA 98, l. 22—130, l. 8.

Kevin Cooper was a key witness for the State against Petitioner. ROA 83, l. 20—96, l. 27. Mr. Cooper claimed to have seen Petitioner with one of the decedents prior to the shooting. ROA 90, ll. 7-15. Mr. Cooper allegedly overheard a conversation were Petitioner was mad that he lost money. ROA 90, l. 16—91, l. 3. Mr. Cooper testified that Petitioner asked him to go buy 9mm bullets. ROA 91, ll. 3-20. This testimony ultimately would fit into the State's theory that Mr. Ward shot the decedents with a 9mm because they owed him money. ROA 97, l. 22—130, l. 8.

On October 30, 2014, Petitioner, through his then attorney Natasha Hanna, filed a motion for a new trial based on after discovered evidence alleging the juror misconduct. In the motion, Petitioner alleged that Marissa Cooper, Juror 19, failed to disclose a relationship State's witness Kevin Cooper. Supp. ROA 1-20. Juror 19 was asked along with the other jurors, whether she was related by blood or marriage to any of the potential witnesses. ROA 48, l. 1—50, l. 15. At no point did Juror 19 respond to that she was related to Kevin Cooper. ROA 50, l. 15. However,

Petitioner submitted an affidavit which supported his position that Juror 19 was related to Kevin Cooper. Supp. ROA 63-64. Petitioner alleged Juror 19 intentionally concealed this information. Supp. ROA 3; See: Appendix C - Failed to tell of buisness relation.

On September 8, 2017, the State filed a motion to summarily dismiss, Defendant's motion for a new trial based on after discovered evidence. In that motion, the State argued that Petitioner's 2014 motion was filed in violation of Rule 29(b), SCRCrimP because Petitioner had an appeal pending on a different Motion for a New Trial Based on After Discovered Evidence. The State also argued that "the information cited by [Petitioner] was known to [Petitioner] and counsel or could have been ascertained by the exercise of reasonable diligence prior to and at the time of trial in 2004..." ROA 543, an evidentiary hearing should've granted

On October 2, 2017, hearing was convened before circuit court. The State argued that the relationship between Juror 19 and Mr. Cooper could have been known by Petitioner at the time of trial. ROA 519, l. 13—520, l. 19. However, the State also took the position that Juror 19 and Mr. Cooper's relationship was so distant as not to arise to the level of juror misconduct. ROA 520, l. 20—521, l. 8.

In its order granting summary dismissal, the circuit court found the following:

The Claim before the Court must be reviewed under the standard set forth in State v. Spann, 334 S.C. 618 (1999)...The Court finds the information cited by the [Petitioner] in the current motion, even if true, is not material evidence as to [Petitioner's] guilt or innocence and would not change the result if a new trial were granted.

ROA 563. The circuit court also found that Petitioner could have ascertained the relationship based on the exercise of reasonable diligence. The circuit granted State's motion to summarily²

² Although in the order the circuit court writes "[A]s to the merits of the [Petitioner's] motion..." Petitioner was not allowed to call witnesses to address the merits of his motion. ROA 511, l. 21—512, l. 8. Therefore, this matter was summarily dismissed.

dismiss Petitioner's Motion for a New Trial Based on After Discovered Evidence.

The Circuit Court's finding that "reasonable diligence" would have lead Petitioner to discover that juror Cooper and witness Cooper were related due to the fact that their last name is Cooper is an abuse of discretion., and SC Supreme Court Prejudiced Petitioner

The Circuit Court found that Petitioner could have discovered this relationship between Juror Cooper and Witness Cooper at the time of the trial through "reasonable diligence." The Court of Appeals found the following:

The State provided Ward with a list of potential witnesses during voir dire in March 2004. At that time, the relationship between the juror and the witness could have been ascertained by the exercise of reasonable diligence.

State v. Ward, (2021-UP-184), See : Appendix C Buisness Relationship also.

The standard of reasonable diligence requires a person to act after they are put on notice that they should act. *See Maher v. Tietex Corp.*, 331 S.C. 371, 377, 500 S.E.2d 204, 207 (Ct. App. 1998) ("A cause of action should have been discovered through exercise of reasonable diligence when the facts and circumstances would have put a person of common knowledge and experience on notice that some right had been invaded or a claim against another party might exist.").

A juror and a witness both having the last name "Cooper"³ is not sufficient to put Petitioner on notice that the two were related. To require defendants and defense counsel to do genealogical research on prospective jurors and witnesses is far greater than what should be considered reasonable diligence. *Cf. Cannedy v. Adams*, 706 F.3d 1148, 1169 (9th Cir. 2013) ("A lawyer cannot be deemed to have rendered ineffective assistance for failing to discover a witness who whose identity, location, or observations' he does not know anything about. Lawyers are not

³ According to the 2010 United States Census there are 280,791 Coopers in the country. Cooper is the 70th most common surname in the United States. See *Frequently Occurring Surnames from the 2010 Census* United States Census Bureau (available at https://www.census.gov/topics/population/genealogy/data/2010_surnames.html).

omniscient.”).

Essentially the Circuit Court and the Court of Appeals put forth an impossible standard for criminal defendants and their attorneys. Defendants are expected to search every witness family history for potential jurors with the same last names. This Court should grant certiorari to correct this unreasonable ruling. and the S.C., Supreme Court Erred in deny it,

The Circuit Court abused its discretion in summarily dismissing Petitioner's Rule 29(B) motion because it was not filed as a PCR case., and SC Supreme Court Erred.

This Court has found that juror misconduct is not based on the factors listed in *Spann*⁴ but rather “is governed by a separate standard.” *McCoy v. State*, 401 S.C. 363, 371, 737 S.E.2d 623, 627, (2013). “[A] new trial is warranted on the basis of juror misconduct if it is shown that (1) the juror intentionally concealed information; and (2) the information concealed would have supported a challenge for cause or would have been a material factor in the use of the party's peremptory challenges.” *Id.* “[E]valuating the merits of a juror misconduct claim is a fact-intensive inquiry, which is most appropriately conducted after a hearing.” *Id.*, 401 S.C. at 371, 737 S.E.2d at 628. See :Williams vs. Taylor, Supra; Remmer vs. U.S., Supra

The circuit court applied the wrong standard in assessing whether to summarily dismiss Petitioner's 2014 motion for a new trial. In its order of dismiss the circuit court found the following:

Had a juror misconduct claim been captioned as yet another PCR application, the Supreme Court's more recent holding in *McCoy v. State*, 401 S.C. 363 (2013) may have applied and an evidentiary hearing on the claim applying the analysis set forth in *State v. Woods*, 345 S.C. 583 (2001) possible. However, that is of no import in the present matter.

ROA 562-563. However, *Woods* was properly brought in a motion for a new trial. *State v. Woods*, 345 S.C. 583, 550 S.E.2d 282 (2001). Additionally, there are other cases where this issue was raised in a motion for a new trial. See e.g. *State v. Savage*, 306 S.C. 5, 409 S.E.2d 809 (1991); *State v. See : Appendix Affidavit Filed Petitioner's Due Diligence.*

Sparkman, 358 S.C. 491, 596 S.E.2d 375 (2004). This ruling is an abuse of discretion because it was based on an error of law.

The Circuit Court abused its discretion in summarily finding that Petitioner was not prejudiced by the juror misconduct without a hearing on the matter.

The circuit court erred in summarily ruling that even if Juror 19 was related to Kevin Cooper it "would not change the result if a new trial were granted." ROA 563. To the extent a harmless error analysis is proper in a case of juror misconduct, the harmless error analysis should only be made after a hearing. See Remmer v. United States, 347 U.S. 227, 230, 74 S.Ct. 450, 451-452 (1954) ("We therefore vacate the judgment of the Court of Appeals and remand the case to the District Court with directions to hold a hearing to determine whether the incident complained of was harmful to the petitioner, and if after hearing it is found to have been harmful, to grant a new trial.") Therefore, the circuit court erred by holding that Petitioner was not entitled to a hearing on his motion because he had not filed it as a PCR action, see: State v. Bryant, 354 S.C. 390 (2003).

Therefore, the circuit court erred in summarily dismissing Petitioner's motion for a new trial and this matter should be remanded for an evidentiary hearing., and the S.C Supreme Court clearly prejudiced and erred by failing to remand this case back to the trial Court to hold an evidentiary hearing to actually determine after Juror #19 Marissa Cooper was placed on the Stand for her testimony of why she failed to ~~tell~~ the Court when she was asked whether she was related by blood or marriage to State's main witness Kevin Cooper, and the fact that (7) Seven named witnesses was paying her rent in her hand, See: Affidavit also hereto attached Appendix of Petitioner brother who was living in Juror #19 Mobile Home park and therefore it's a family and business relationship and was a Conflict of interest Judge that recused himself from this very same Case who signed the Orders

(4) in pcr case # 2018-CP-22-00488, see: Appendix C hereto attached along with the S.C. Supreme Court of Discipilinaty Counsels letter's of dispositions of Judge Larry Hyman he denied the Evidentiary Hearing in this case is really "SHOCKING TO THE UNIVERSAL SENSE OF JUSTICE" and a violation of S.C.A.C.R. 407 & 501 (5) and Clearly established federal law, See Williams vs. Taylor, Supra; and Remmer vs. United states, Supra, and the 6th & 14th amendments to the U.S. Constitution and the Petitioner herein Prays this Court Grant A "REMMER HEARING", and or "Remand" it back to the S.C. SUPREME COURT , and/or Trial Court to conduct a hearing to Protect Petitioner's Constitutional Rights.

CONCLUSION

As this Case Clearly draws National importance and a violation of Constitutional rights 6th & 14th Amendments U.S. Const. The petition for a writ of certiorari should be granted.

Respectfully submitted,

Jody Lynn Ward

Date: March 24th, 2023

Footnote(5)

Judge Hyman in this Appeal from his Conduct in the Hearing in the Trial Court; out of Jurisdiction of Georgetown County was reprimanded By S.C. Supreme Court of Judicial Misconduct on the Footnote: See Appendix Bench; and Judge Culbertson Ruled Conflict of interest

(4) (1) Clifton H. Rogers Jr. ;²Tracey³ Collins; Billy Wilson; Kelly Wilson; (6) Roger Ackerman Jr. ;(7) Jason Ackerman all named witnesses in the Voir Dire ROA Pg. lines Marissa Cooper intentionally failed to tell of this Business relationship, just like she did herein.